

Application No. 10/638,174
Amendment dated May 2, 2005
Response To Office Action dated January 31, 2005

REMARKS

Claims 1, 3, 4, 7-9, 11, 12, and 16-19 have been amended. Claims 5, 6, 13, 14, and 20 have been canceled. No new matter has been introduced as a result of these amendments. Claims 1-4, 7-12, and 15-19 are currently pending in the application.

The Examiner rejected claims 1-20 under 35 USC § 102(a) and 102(e) as being anticipated by Yaganov (USPN 2002/0181843 A1). Applicant respectfully traverses this rejection and requests reconsideration of the application.

In order for a reference to anticipate an invention, each and every element of the claimed invention must be found in a single reference. The "identical invention must be shown in as complete detail as is contained in the ... claim. The elements must be arranged as required by the claim..." MPEP Section 2131.01. Applicant respectfully submits that Yaganov does not anticipate Applicant's claimed invention because Yaganov does not teach each and every element of the claimed invention.

Vaganov discloses multiple techniques for constructing an optical switch. The Examiner cites the techniques shown in figures 4, 5, 12A, 12B, 21A, and 21B in rejecting Applicant's independent claims 1, 7, and 16. In the embodiments shown in figures 4 and 5, an actuator (76, 77) applies a pulling force to a suspension (72, 73) to move an optical body (42). The fiber (60) is connected to the optical body and moves in response to the movement of the optical body (see paragraph [0083]).

In figures 12A-12B, Vaganov discloses two movable parts (156, 158) connected to a lens (68). Actuators (76, 77) and electrodes (157, 159) allow the application of force to the movable parts to change their angular positions. An optical body (42) is connected to the movable parts and moves in response to the movement of the lens.

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And the fiber (60) moves in response to the movement of the optical body (see paragraph [0111]).

In figures 21A-21B, Vaganov teaches an optical switch that uses electrostatic actuation to select between eight angular positions. When a voltage is applied to a pair of electrodes (e.g., 174, 176), the movable plate (190) moves in a direction (e.g. +Y). The angle or position of the lens (68) can be changed by applying a voltage to different sets of electrodes and moving the movable plate in different directions (see [0140]).

Applicant's independent claims 1, 7, and 16, as amended, recite a support device "operable to apply one or more forces directly to the input optical fiber" and a support device "operable to apply one or more forces directly to the output optical fiber." As discussed earlier, Vaganov applies a force to a suspension or movable plate in order to move a fiber. Nothing found in Vaganov teaches applying one or more forces directly to an optical fiber. Applicant therefore submits Vaganov does not anticipate claims 1, 7, and 16.


"Claims in dependent form shall be construed to incorporate by reference all the limitations of the claim incorporated by reference into the dependent claim." 37 CFR 1.75. Claims 2-6 depend from claim 1, claims 8-13 from claim 7, and claims 15-19 from claim 14. For at least the reason discussed above, Vaganov does not anticipate independent claims 1, 7, and 14. Consequently, claims 2-4, 8-12, 15, and 17-19 are also not anticipated by Vaganov.

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In light of the amendments and discussion above, Applicant believes that all claims currently remaining in the application are allowable over the prior art, and respectfully requests allowance of such claims.

Respectfully submitted,

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